

Aaron Guckian
Chairman

Janine L. Burke
Executive Director



Scott Avedisian
Mayor

Warwick Sewer Authority
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BOARD MEETING MINUTES

Thursday, February 26, 2015, 5:30 p.m.
Warwick Sewer Authority Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

Board Members present:	Guests:
Aaron Guckian, Chairman	Mayor Scott Avedisian
Gary Jarvis, Secretary	Ray Willis, NEWEA President-Elect
Peter Ginaitt	Dennis Setzko, P.E., AECOM
Steve Sylven, P.E.	Joseph Boccadoro, P.E., AECOM
Gary P. Marino	James Ramos, Hart Engineering
	Dan Rampone, Hart Engineering
Staff present:	Steve Garofalo, Garofalo & Associates
Janine L. Burke, Executive Director	Sandra Woodin, Bertucci's Pizzeria
John Revens, Revens, Revens & St. Pierre	Sean Campbell, Bertucci's Pizzeria
Patrick Doyle, Superintendent	Mr. and Mrs. Richards, Merry Mount Drive
Scott Goodinson, Assistant Superintendent	Dewberry representatives (2)
BettyAnne Rogers, Pretreatment Coordinator	Roy Hodge, Valley Avenue
William Miranda, Admin. Tech. Assistant	
Lynn F. Owens, Administrative Coordinator	

- 1. Call to Order:** At 5:32 p.m. Chairman Guckian called this meeting to order.
- 2. Pledge of Allegiance** Those in attendance rose to salute the flag and state the Pledge of Allegiance.
- 3. Mayor Avedisian and the Board recognized Executive Director Janine L. Burke as the 2014 New England Water Environment Association Alfred E. Pelouquin Award recipient for the State of Rhode Island (presented in Boston on 1-28-15).**
- 4. Approval of Minutes**
 - a. Approval of minutes from the regular meeting held January 22, 2015.

ACTION: Mr. Ginaitt moved approval of the minutes as submitted. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

5. Industrial Pretreatment Division

- a. Bertucci's Brick Oven Pizzeria, 1946 Post Road, Warwick, to appear before the Board for a Show Cause Hearing regarding late reporting offenses and their request for fine relief.

ACTION: Present were Bertucci's representatives Sandra Woodin, corporate manager of real estate and licensing, and Sean Campbell, area director for the Warwick restaurant.

Ms. Rogers stated the fines were implemented in accordance with our fine schedule for several late reporting violations that have escalated to \$6,000 since the permit was issued in 2011. She stated with the issuance of a new permit in 2016, the slate will be wiped clean. Ms. Rogers stated typically we deal with local management, but lately WSA staff made an effort to get a corporate representative involved. She stated Sandra Woodin is from the corporate office and she has been extremely proactive and jumped at the opportunity to come before the Board to ask for fine relief.

Ms. Woodin stated upon receipt of the fine notice, she came to WSA and met with Ms. Rogers to learn about the pretreatment permit and the restaurant's responsibilities. She laid out the practices put in place by Bertucci's to respond appropriately and in accordance with Industrial Pretreatment Program permit requirements. She stated the managers will be properly trained and the employees will be aware of procedure. She stated compliance will be monitored from the corporate office.

Board members discussed Bertucci's request for fine relief.

Mr. Jarvis moved to enforce the full fine and allow the business to pay over one year (less than \$600 per month), with the caveat that if there are any other late reporting violations, the balance of the fine will be due in full. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

6. AWT-Phosphorus & Flood Control Project, Contract No. 91

- a. AECOM to submit progress report and updated schedule

DISCUSSION: Mr. Setzko reviewed with the Board the latest AECOM Contract No. 91 progress report:

JANUARY/FEBRUARY 2015 PROGRESS REPORT February 18, 2015

This Progress Report summarizes activity between January 10, 2015 and February 13, 2015 on Contract 91: Phosphorus Removal Upgrade/Flood Control & Mitigation Project, and provides a four week look ahead.

Construction Progress

- ☐ Overall, the project is approximately 35% complete;
- ☐ Continued to provide construction administration services such as reviewing and processing RFIs, shop drawings, change order proposals and contractor applications for payment; and field observation and specially staff site visits for Building Code compliance;
- ☐ Held eighth progress meeting on February 6th with Hart and WSA;
- ☐ Phosphorus Building Work:
 - o Completed shoring and most reinforcing for elevated slabs; initiated pouring of elevated slab concrete;
- ☐ Levee Work:
 - o Completed guard rail work along I-95;

Four Week Look Ahead-Phosphorus Building and Other Work

- ☐ Weather permitting, complete upper slab concrete;
- ☐ North Sludge Building: initiate electrical conduit from Phosphorus Building;
- ☐ BNR Tanks: initiate removal and replacement of existing mixers and control panels;
- ☐ Inlet, Septage and Grit Facility: initiate removal and installation of screen;
- ☐ Next progress meeting scheduled for March 6th.

Four Week Look Ahead-Levee

- ☐ Work on hold until weather conditions improve.

Director Burke stated we continue to have weekly conference calls with AECOM. Mr. Setzko stated AECOM keeps daily reports in-house and will submit them at the end of the job. Director Burke stated due to the weather there is not much going on at the project site.

- b. Change Order No. 4: Balancing Change Order/Close Out of Bid Item No. 8 (installation of vinyl sheeting) \$228,000.85**

ACTION: Tabled from 12-18-14.

Director Burke stated she attempted to explain the reasoning for this change order in her recommendation memo. She stated the cost was incurred by Hart Engineering; the equipment and materials were used, and verified by AECOM. She recommended approval of the change order (\$477,360.85 in actual expenses less WSA payments made to Hart totaling \$249,360.00 = \$228,000.85 balance due).

[Because the total contract price for Bid Item No. 8 was \$1,008,000, the action results in a contract price decrease of \$530,639.15.]

Mr. Ginaitt moved approval of this change order, stating WSA should pay the contractor what is due to them. Mr. Marino and Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

- c. **CORRECTION: Change Order No. 7**
Change Order No. 9: Increased grating area
Hart Engineering: \$911.05

ACTION: Director Burke stated this is a small change order for changing out the grating.

Mr. Ginaitt moved approval of this change order. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

7. Operation and Maintenance Division

- a. Sludge Disposal Agreement: Rhode Island Resource Recovery Corporation: three year contract for disposal of grit

ACTION: Superintendent Doyle stated this is for disposal of the screenings from the headworks process. He stated Rhode Island Resource Recovery Corporation's Central Landfill is the only entity that will accept this waste.

Mr. Sylven moved approval of the contract. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

- b. Fuel Bid No. 2015-215 City of Warwick Gasoline, Low Sulfur Diesel & Ultra Low Sulfur Diesel Award of Contract
- Unleaded fuel: Peterson's Oil Service, Inc.
 - Diesel fuel: Santa Buckley Energy, Inc.

ACTION: Superintendent Doyle stated that WSA was piggybacking the Department of Public Works' award of bid for unleaded and diesel fuel.

Mr. Ginaitt asked if the State of Rhode Island puts out a bid offering for fuel that the municipalities can draw down on. Director Burke will get information on the collaborative bid coordinated through the RI League of Cities and Towns.

Mr. Ginaitt moved approval of this item. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

8. Construction Division

a. Governor Francis Phase III Sewer Project

i. Engineer's progress report

Director Burke stated the engineers are waiting for the snow to melt before beginning the survey work for the pump station.

b. O'Donnell Hill Sewer Project

i. Engineer's progress report: Garofalo and Associates submitted a monthly progress report.

ii. Change Order No. 1: Garofalo & Associates, Inc., \$5,210.00 Field survey services and evaluation of homeowner supplied information (sill elevations and sewer outfall information sought)

ACTION: Mr. Garofalo stated no sill elevations were planned for in the first contract for this project (original contract provided for a full gravity system). He stated as there is more ledge in the area than originally anticipated (documented by Kent County Water Authority borings records), Garofalo plans to send a questionnaire to the homeowners asking for specific information on their property (sill elevations, etc). He stated this information will help them assess whether to design a gravity, low pressure or combination system. Director Burke stated this information will make for a better project design and cost estimates.

Prior to a vote, Mr. Marino clarified with legal counsel whether he could vote on this change order (he lives in the project area). Legal counsel confirmed that there is no conflict; Mr. Marino does not have to recuse himself.

Mr. Ginaitt moved approval of the change order. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

9. Billing Services Division

a. Sewer Assessment Abatement

Name	Service Address	Reason	Amount
Ann Richards	280 Merry Mount Drive Plat 306 Lot 0408	Property is a "corner" lot with all 220 feet of frontage located on Merry Mount. Fair and equitable to assess on longest side plus half the arc of the "corner" (103 feet).	\$9,594.00

ACTION: Director Burke reviewed the facts and recommended that the assessment be reduced. A survey of the lot was part of the recommendation package. Mrs. Richards stated she is in favor of the recommended abatement.

Mr. Ginaitt stated this was something the Board was trying to alleviate through a more fair and equitable assessment process. He stated while this abatement provides for a fair assessment, it goes against the total cost of the project. He stated WSA is working on this and hopefully we can get this to the General Assembly to bring some equity to the assessment process.

Mr. Ginaitt moved approval of the abatement. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

10. Administrative Items

- a. Revisions to State Law governing the licensing of underground utility contractors (impacts WSA licensing of drainlayers)
Effective date: January 2, 2015

DISCUSSION: Director Burke stated underground utility contractors are now being licensed by the State of Rhode Island. She stated this information came to WSA from Councilman Ladouceur who sits on the State Contractors' Licensing Board. She stated the law was passed last year but came as a big surprise to the WSA. She stated WSA has not issued any new licenses since January 1.

Director Burke said that WSA sent a letter to its licensed drainlayers, advising them of the law and encouraging them to apply for the state license by June 30th to avoid the testing requirement (grandfather clause). She stated formal rules and regulations are being drafted by the Contractors' Licensing Board; WSA plans to comment on the draft regulations at an upcoming hearing. She said the State is also looking to create statewide construction standards for underground utility contract work (does not apply to public utilities).

The Board discussed the disciplinary action process/enforcement of rules and regulations, etc., including increased due diligence on complaints.

- b. Legal Services Contract: Revens, Revens & St. Pierre
July 1, 2015 – June 30, 2017: \$30,000.00 annually

ACTION: Director Burke recommended approval of this contract. Chairman Guckian stated Mr. Revens and his team have done a good job for the WSA. He stated having the same legal team for consistency makes sense and Mr. Revens knows the City well.

Mr. Ginaitt moved approval of the legal services contract. Mr. Jarvis seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

- c. Director's Report
 - i. Financial Report
 - ii. Administrative Schedule

Director Burke referred to the FY2015 budget report provided to the Board. She stated staff is working on the FY2016 budget. She stated our rate consultant has started his annual review of our rates. She stated as part of the budget she is proposing to create a project manager's position to oversee upcoming new construction. She stated this management position could also assist with asset management, GIS coordination, capital project management/work flows.

Director Burke stated in coordination with the Department of Public Works, WSA would like to lay pipe on Tidewater Drive prior to the road being paved (following completion of the Mill Creek bridge project). She confirmed that National Grid will work on their gas lines prior to paving. She stated a cost proposal will be presented to the Board next month.

- d. Chairman's Report

Chairman Guckian stated the City Council Sewer Review Commission is starting to meet again. He asked that WSA staff share the meeting agendas with all Board members and encouraged the members to share in the responsibility of attending these regular meetings.

11. Consent Agenda – Correspondence

- a. WSA to USEPA: 2014 CMOM Program Annual Report (1-23-15)
- b. WSA to West Warwick: WSA installment payment for upgrades (1-30-15)
- c. WSA to CRMC: MSCP Quarterly Report period ending 12-31-14 (1-30-15)
- d. The LAMAR Companies lease payment for 2015 (1-30-15)
- e. WSA Financial Report to City Council (2-9-15)
- f. Homeowner Safety Valve Company quarterly revenue share (2-10-15)
- g. RIDEM to WSA: vulnerability assessments of wastewater infrastructure (2-17-15)

ACTION: Mr. Sylven moved approval. Mr. Jarvis seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

12. New Business

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

No new business presented.

13. Old Business

- a. Modifications to Septage Hauling Regulations
- b. Bayside I-III Sewer Project: Amendment to GRA contract/design services
- c. Sewer Assessment Deferment Policy (6-27-13)
- d. Sewer Assessment Deferment: Plat 332 Lot 483 (11-20-13)
- e. Financial review of sewer assessment structure, examination of various methodologies, B & E Consulting, LLC: not to exceed \$6,800.00 (6-19-14)
- f. Project management for sewer construction (7-24-14)

ACTION: No discussion or action.

14. PUBLIC COMMENT PERIOD No comments presented.

15. Adjournment

Mr. Ginaitt moved to adjourn the meeting. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

At 6:36 p.m. this meeting ended.

Gary C. Jarvis, WSA Secretary

Date of Approval

“Minutes are recorded pursuant to the Rhode Island General Laws § 42-46-7 for the purpose of capturing all general information relevant to the meeting. For a more comprehensive assessment of minutes, audio files shall be archived with the Warwick Sewer Authority and available upon request.